

SUBPART F - HOME LEAVE

Regulations

Sec. 30.601. Definitions. As used in this subpart, the term:

(a) "Home leave" means leave authorized by paragraph 203(f) of the Act and earned by service abroad for use in the United States, in the Commonwealth of Puerto Rico, or in the possessions of the United States.

(b) "Month" means a period which runs from a given day in one month through the day preceding the numerically corresponding day in the next month.

(c) "Service abroad" means service on and after September 6, 1960, as an employee of any agency of the Federal Government at a post of duty outside the United States and outside the employee's place of residence if his residence is the Commonwealth of Puerto Rico or any one of the possessions of the United States.

Sec. 30.602. Coverage. An employee who meets the requirements of section 203(d) of the Act for the accumulation of a maximum of 45 days of annual leave shall earn and may be granted home leave in accordance with paragraph 203(f) of the Act and the regulations in this subpart.

Sec. 30.603. Computation of creditable service. Creditable service begins with the date of the employee's arrival at a post of duty outside the United States, or on the date of his entrance on duty if recruited abroad, and ends on the date of the employee's departure from the post for separation or for assignment in the United States, or upon his separation from duty in case of separation abroad. Full credit shall be given for the day of arrival and the day of departure. Creditable service includes: (1) Absence in a nonpay status up to a maximum of two workweeks; (2) authorized leave with pay; (3) time spent in the Armed Forces of the United States which interrupts otherwise creditable service; and (4) any period of detail.

Sec. 30.604. Earning rates. (a) For each 12 months of service abroad, home leave shall accrue as follows provided the conditions of eligibility in this subpart are met:

(1) An employee who accepts as a condition of initial or continued employment with his agency an obligation to accept assignments anywhere in the world as the needs of the agency dictate shall earn 15 days' home leave.

(2) An employee who is serving with a U. S. Mission to a Public International Organization shall earn 15 days' home leave.

(3) An employee who is serving at a post for which payment of a foreign or territorial (but not a tropical) differential of 20 percent or more is authorized by law or regulation shall earn 15 days' home leave.

(4) An employee, not included in paragraph (1), (2), or (3), who is serving at a post for which payment of a foreign or territorial (but not a tropical) differential of at least 10 percent but less than 20 percent is authorized by law or regulation shall earn 10 days' home leave.

(5) An employee, not included in paragraph (1), (2), (3), or (4), shall earn five days' home leave.

(b) Home leave shall be credited to an employee's leave account, as earned, in multiples of one day.

Sec. 30.605. Computation of home leave. (a) An employee shall earn home leave for each month of creditable service under the rules fixed by paragraph (a), of section 30.604 in the amounts set forth in the following table:

Home Leave-Earning Table

Months of Service

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(b) When an employee moves between different posts, before completion of a month of creditable service or when a change in differential during the month results in a different leave earning rate, he shall be credited with the amount of accrual for the month at the rate at which he was entitled prior to the change in his assignment.

Sec. 30.606. Grant of home leave. (a) Home leave may not be granted until the completion of 24 months of continuous service abroad (hereinafter called the "basic service period"). The basic service period is terminated by (1) a break in service of one or more workdays, or (2) an assignment (other than a detail) to a position whereby the employee is no longer subject to section 305(f) of the Act.

(b) Agency authority. The grant of home leave shall be at the discretion of the agency, and may be granted for use only in the United States, the Commonwealth of Puerto Rico, or possessions of the United States. A combination of home leave and other leaves of absence may be granted in accordance with established agency policy.

(c) Limitation. Home leave may be granted to an employee (1) during a period of service abroad, or (2) within a reasonable time after his return from service abroad when it is contemplated that he will return to service abroad immediately or upon completion of an assignment in the United States. Home leave not granted at such time may not be granted until the employee has completed a further substantial period of service abroad; the further period of service abroad required by this paragraph shall be not less than the tour of duty prescribed for the employee's post of assignment, except where an agency determines that an earlier grant of such leave is warranted in individual cases.

(d) Charging of home leave. The minimum charge for home leave shall be one day.

(e) Refund for home leave. An employee shall be indebted for home leave used by him when he fails to return to service abroad (1) after the period of leave, or (2) after the completion of an assignment in the United States. However, a refund for such indebtedness shall not be required (1) when the employee has completed not less than six months' service in an assignment in the United States following the period of leave, or (2) when the agency determines that the employee's failure to return was due to compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health or circumstances over which the employee has no control, or (3) when the agency which granted the home leave determines that it is in the public interest not to return the employee to his overseas assignment.

Sec. 30.607. Transfer and recredit of home leave. (a) An employee's accrued home leave shall be transferred or recredited to his leave account when he moves between agencies or is reemployed in the Federal service without a break in service in excess of 90 days.

(b) Home leave shall be recredited under this section only to employees transferred or reemployed on or after the effective date of this subpart.

Sec. 30.606. Saving provisions. (a) Home leave to the credit of an employee on the day preceding the effective date of this subpart shall be credited to the employee's home leave account under these regulations and shall be available for use in accordance with the Act and this subpart.

(b) Service which was creditable for the earning of home leave under appropriate statutory provisions in effect immediately prior to the effective date of this subpart shall be counted as creditable service under the Act and this subpart.

Sec. 30.609. Effective date. The effective date of this subpart is the first day of the first pay period following September 6, 1960.